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PTO/SB/05 (03-01)  
 Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No. 0942.285000/RWE/BJD

First Inventor

Hartley et al.

Title

Recombinational Cloning Using Engineered  
Recombination Sites

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

 Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
 (Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
 See 37 CFR 1.27.

3. ☒ Specification [Total Pages 60]  
 (preferred arrangement set forth below)  
 - Descriptive title of the invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table, or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 44]

5. ☒ Oath or Declaration [Total Pages 2]

- a. ☐ Newly executed (original or copy)  
 b. ☒ Based on a prior application (37 CFR 1.63(d))  
 (for continuation/divisional with Box 18 completed)  
 i. ☐ **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s)  
 named in the prior application, see 37 CFR §§  
 1.63(d)(2) and 1.33(b).  
 6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program  
 (Appendix)  
 8. Nucleotide and/or Amino Acid Sequence Submission  
 (if applicable, all necessary)  
 a. ☒ Computer Readable Form (CRF) (Request to Open New Disk File)  
 b. Specification Sequence Listing on:  
 i. ☐ CD-ROM or CD-R (2 copies); or  
 ii. ☒ paper (copy of substitute Sequence Listing from Appl. No.  
 09/432,085)  
 c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))  
 10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney  
 (when there is an assignee)]  
 11. ☐ English Translation Document (if applicable)  
 12. ☐ Information Disclosure  
 Statement (IDS)/PTO-1449 [Copies of IDS  
 Citations]  
 13. ☒ Preliminary Amendment  
 14. ☒ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)  
 15. ☐ Certified Copy of Priority Document(s)  
 (if foreign priority is claimed)  
 16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach  
 form PTO/SB/35 or its equivalent.  
 17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
 or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP)  
 Prior application information: Examiner Sandals, W.

of prior application No: 09/432,085  
 Group/Art Unit: 1636

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is  
 considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only  
 be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 26111

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FAY, L.L.C.		
ADDRESS	Attorneys at Law		
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

NAME (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473
SIGNATURE		Date	January 30, 2002

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount  
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SKGF Rev 3/29/01 mac

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	(To be assigned)
Filing Date	(Herewith)
First Named Inventor	HARTLEY
Examiner Name	(To be assigned)
Group Art Unit	(To be assigned)
Attorney Docket No.	0942.285000/RWE/BJD

TOTAL AMOUNT OF PAYMENT

(\$ 740.00)

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity	Small Fee Code	Fee Description	Fee Paid
101	740	201	Utility filing fee	740.00
106	330	206	Design filing fee	
107	510	207	Plant filing fee	
108	740	208	Reissue filing fee	
114	160	214	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

### 2. EXTRA CLAIM FEE

Large Fee Code	Entity	Small Fee Code	Fee Description	Fee Paid
101	740	201	Utility filing fee	740.00
106	330	206	Design filing fee	
107	510	207	Plant filing fee	
108	740	208	Reissue filing fee	
114	160	214	Provisional filing fee	

SUBTOTAL (2) (\$ 0)

\*\* or number previously paid, if greater. For Reissues, see above

### SUBMITTED BY

Name (Print/Type)	Brian J. Del Buono
Signature	

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity	Small Fee Code	Fee Description	Fee paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	130	123	130 Petitions related to provisional applications	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	481	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## Complete (if applicable)

Name (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473	Telephone	202-371-2600
Signature		Date	January 30, 2002		

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SCF 01 Rev. 10/01/00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY *et al.*

Appl. No. *To be assigned*

(Continuation of U.S. Appl. No. 09/432,085)

Filed: HERewith

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Confirmation No. *To be assigned*

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 0942.285000I/RWE/BJD

**Request to Open New Disk File**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that a new disk file be opened for the above-cited application. The Sequence Listing disk submitted on **November 2, 1999**, in the parent, Application No. **09/432,085**, filed **November 2, 1999**, contains the identical sequence information as that in the present application. Applicants also submit herewith a paper copy of the sequence listing for the present application. The paper copy of the sequence listing and the computer readable copy are the same and do not introduce new matter.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: January 30, 2002  
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